CITY OF REDMOND ORDINANCE NO. 2696

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING RMC 13.12.050, INCREASING THE LENGTH OF REIMBURSEMENT AGREEMENTS TO TWENTY YEARS; REPEALING RMC 13.12.130; AND ADOPTING RMC 13.12.135, REQUIRING ONGOING NOTIFICATION OF CONTACT INFORMATION

WHEREAS, the Washington State Legislature has enacted a new statue requiring that reimbursement agreements be in effect for a period of twenty years.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment of section. RMC 13.12.050, Length of reimbursement provision, is hereby amended to read as follows:

[NO REIMBURSEMENT AGREEMENT SHALL PROVIDE FOR REIMBURSEMENT FOR A PERIOD OF LONGER—THAN TEN YEARS FROM THE DATE OF FINAL ACCEPTANCE OF THE IMPROVEMENTS

BY THE CITY.] The reimbursement agreement shall be in effect for 20 years from the effective date of the agreement.

Section 2. Repeal of section. RMC 13.12.130, Disposition of undeliverable reimbursement fees, is hereby repealed in its entirety.

[IN THE EVENT THAT, AFTER REASONABLE EFFORT, THE

PARTY TO WHICH REIMBURSEMENT FEES ARE TO BE PAID

PURSUANT TO A REIMBURSEMENT AGREEMENT CANNOT BE

LOCATED, AND UPON THE EXPIRATION OF ONE HUNDRED BIGHTY

DAYS FROM THE DATE FEES WERE COLLECTED BY THE CITY,

THE FEES SHALL BECOME THE PROPERTY FOR THE CITY AND

SHALL BE REVENUE TO THE CITY SEWER AND WATER UTILITY.]

Section 3. Adoption of section. RMC 13.12.135, Notice

of contact information, is hereby adopted to read as follows:

The reimbursement agreement shall include a provision that requires that any party entitled to reimbursement under the agreement provide the City current contact information including, name, address and telephone number. This contact information shall be provided every two years from the date of the agreement. If a party entitled to be reimbursed fails to notify the City of current contact information within 60 days of the due date for notification that party will no longer be entitled to reimbursement and the City will collect such fees owing and deposit those fees in the appropriate utility construction fund.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Effective Date. This ordinance shall take effect and be in full force five days after its passage and publication of a summary, or as otherwise provided by law.

ADOPTED by the Redmond City Council this 4th day of June, 2013.

CITY OF REDMOND

ATTEST:

whilely was bee MICHELLE M. MCGEHEE, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

JAMES HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK: May 29, 2013 PASSED BY THE CITY COUNCIL: June 4, 2013

SIGNED BY THE MAYOR:

PUBLISHED:

EFFECTIVE DATE: ORDINANCE NO. 2696

June 4, 2013

June 10, 2013 June 15, 2013

APPROVED 7-0: Allen, Carson, Flynn, Margeson, Myers, Stilin and Vache